

COMMONWEALTH OF VIRGINIA



WASHINGTON CIRCUIT COURT

Civil Division

189 EAST MAIN STREET

ABINGDON VA 24210

(276) 676-6224

Summons

To: ~~CAL~~ CORPORATION SYSTEM  
(RA) LOWES HOME CENTERS LLC  
100 SHOCKOE SLIP FLOOR 2  
RICHMOND VA 23219-4100

Case No. 191CL23002377-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Monday, December 18, 2023

Clerk of Court: PATRICIA S. MOORE

by

A handwritten signature in black ink, appearing to be "Patricia S. Moore", written over a horizontal line.

(CLERK/DEPUTY CLERK)

Instructions:

COMPLAINT

Hearing Official:

Attorney's name:

MUNSEY, MICHAEL R  
PO BOX 728  
ABINGDON VA 24212

EXHIBIT

A

tabbles

VIRGINIA:

IN THE CIRCUIT COURT OF WASHINGTON COUNTY

DOROTHY WILKINSON )

Plaintiff, )

vs. )

LOWE'S HOME CENTERS, LLC )

24500 Falcon Place Blvd. )

Abingdon, VA 24211 )

Defendant. )

SERVE: )

CT Corporation System, Registered )

Agent for Lowe's Home Centers, )

LLC, 100 Shockoe Slip Floor 2 )

Richmond, VA 23219-4100 )

AT LAW NO.: 23-2377

**FILED**  
**DEC 18 2023**  
DEPUTY CLERK CIRCUIT COURT  
WASHINGTON COUNTY, VA

COMPLAINT

The Plaintiff, Dorothy Wilkinson, hereby moves the Court for judgment against the Defendant, Lowe's Home Centers, LLC, on the grounds and in the amount hereinafter set forth:

1. Defendant, Lowe's Home Centers, LLC, is a foreign corporation doing business in the State of Virginia, having an office and principal place of business at 1605 Curtis Bridge Road, Wilkesboro, NC 28697.

2. On or about January 2, 2022, Defendant Lowe's Home Centers, LLC, owned and operated a retail store located at 24500 Falcon Place Blvd., Abingdon, Washington County, Virginia.

3. As the owner and operator of said store, Lowe's Home Centers, LLC, had a duty to maintain the premises in a reasonably safe condition; to make reasonable inspections to determine whether any hazardous conditions existed; and to warn the public of any such conditions known to it, its agents and employees.

4. Notwithstanding said duties, Defendant, negligently failed to repair a hole in the concrete near the exit doors customarily used by patrons of the store. Defendant and their agents and/or employees, knew, or in the exercise of reasonable care should have known, that said hazardous condition existed. Additionally, Defendant failed to warn the public of this hazardous condition.

5. On or about January 2, 2022, Plaintiff was a customer at said Lowe's Home Centers, LLC when she was pushing her shopping cart from the exit door to the parking lot and stepped in said hole in the concrete causing her to fall. The Plaintiff's fall was a direct result of Defendants' negligence.

6. As a direct and proximate result of negligence of Defendant Lowe's Home Centers, LLC, Plaintiff was seriously, painfully, and permanently injured. She has incurred and will incur medical bills in the future.

WHEREFORE, the Plaintiff, Dorothy Wilkinson, demands judgment against Defendant, Lowe's Home Centers, LLC., in the amount of EIGHT HUNDRED THOUSAND (\$800,000.00) DOLLARS, plus costs of this suit and interest from the date of the incident.

Dorothy Wilkinson

By Counsel

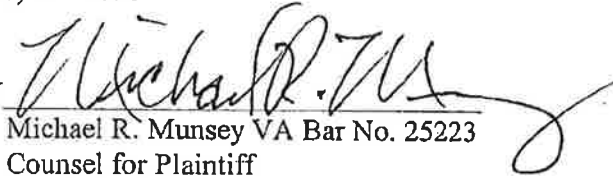
LAW OFFICES OF MICHAEL R. MUNSEY, P.C.

P.O. Box 728

Abingdon, VA 24212

(276)451-2056

BY

A handwritten signature in black ink, appearing to read "Michael R. Munsey", is written over a horizontal line. The signature is fluid and cursive.

Michael R. Munsey VA Bar No. 25223

Counsel for Plaintiff

VIRGINIA:

IN THE CIRCUIT COURT OF WASHINGTON COUNTY

DOROTHY WILKINSON )

Plaintiff, )

vs. )

AT LAW NO.: \_\_\_\_\_

LOWE'S HOME CENTERS, LLC )

24500 Falcon Place Blvd. )

Abingdon, VA 24211 )

Defendant. )

SERVE: )

CT Corporation System, Registered )

Agent for Lowe's Home Centers, )

LLC, 100 Shockoe Slip Floor 2 )

Richmond, VA 23219-4100 )

PLAINTIFF'S FIRST SET OF INTERROGATORIES  
TO DEFENDANT LOWE'S HOME CENTERS, LLC

Comes now the Plaintiff, Dorothy Wilkinson, by counsel, and requests that the following Interrogatories be answered by Defendant, Lowe's Home Centers, LLC, under oath, within 28 days from the date of service hereof:

These Interrogatories are to be considered continuing in nature and are to be supplemented in accordance with the Rules of Court.

If you refuse to answer any of these Interrogatories in whole or in part, please describe the information withheld and the basis for your refusal to provide that information, including any claim of privilege or work product.

DEFINITIONS

For the purposes of these Interrogatories, the following definitions shall apply:

1. "You" and "Your" shall refer to Defendant Lowe's Home Centers, LLC , and its agents, attorneys and representatives.

2. The "Accident" shall mean the accident that is the subject of this lawsuit and which occurred on or about January 2, 2022.

3. "Person" shall mean any individual, corporation, partnership, proprietorship, association, organization, or governmental entity, or group of persons.

4. "Identify" shall mean:

(a) when used in reference to an individual, to state his full name and present or last known address, the full name and present or last known address of his employer or business, and his position with said employer or business;

(b) when used in reference to a document, to state the date, author, type of document (e.g., letter, memorandum, photograph, telegram, tape recording, etc.) the location and custodian. If any such document was, but is no longer in your possession or custody or subject to your control, state what disposition was made of it.

5. "Document" shall mean every writing or record of every type and description that is or has been in your possession, custody or control, or which you have knowledge, including, but not limited to, videotapes, photographs, notes, letters, memoranda, books, magazines, notebooks, diaries, papers, agreements, contracts, invoices, analyses, transcripts, correspondence, telegrams, drafts, data processing discs or tapes, x-rays, instructions, announcements, sound recordings and transcripts thereof. "Document" also means all copies which are not identical to the original, such as those bearing marginal comments, alterations, or other notations not present on the original document as originally written, typed, or otherwise prepared.

1. Please identify yourself fully, giving your full name, residence, business address and occupation.

ANSWER:

2. Please identify and describe each and every person who observed, or was present in the vicinity of, the accident on January 2, 2022, giving the name and address of each such person if known to you.

ANSWER:

3. Who was the first employee(s), and/or agent(s) of Lowe's Home Centers, LLC to become aware that Plaintiff had been injured? How did this person become aware of the Plaintiff's accident/injuries?

ANSWER:

4. Please identify each employee and/or agent of Lowe's Home Centers, LLC, working at 24500 Falcon Place Blvd. Abingdon, VA on January 2, 2022, giving the name and address and job title of each such person.

ANSWER:

5. Please identify and describe the person that took the incident report for Defendant Lowe's Home Centers, LLC , of Plaintiff Dorothy Wilkinson's fall of January 2, 2022; and attach a copy of that report.

ANSWER:

6. Please identify when Defendant Lowe's Home Centers, LLC , first became aware that there was a hole in the concrete. Identify any and all actions taken by Defendant Lowe's Home Centers, LLC , to repair or rectify the hole, including the identity of all individuals who took any action and the date and time said action was taken.

ANSWER:

7. Describe what Defendant Lowe's Home Centers, LLC, employee(s) and/or agent(s) did immediately following Plaintiff's fall and injury, identifying which employee/s took action.

ANSWER:

8. Is it your contention that the Plaintiff by any act or omission caused or contributed to cause the accident? If so, please state in detail each act or omission by the Plaintiff which it is contended or alleged caused or contributed to cause the accident.

ANSWER:



9. Did the Plaintiff ever make any statement or give any account, either oral or written, of the alleged occurrence to any employee(s) and/or agent(s) of Lowe's Home Centers, LLC? If so, please state:

- (a) the date of each such statement or account;
- (b) the name and address of the person to whom such statement or account was given;
- (c) the name and address of each and every person present at the time each such statement or account was given; and
- (d) the contents or substance of each such statement or account in as much detail as possible.

ANSWER:

10. Do you or your attorneys have in your possession or under your control a copy of any signed statement, recorded interview, or document made by Plaintiff? If so, please attach a copy to your Answers.

ANSWER:

11. If you have had any conversation with Plaintiff concerning the occurrence, please state who was present during such conversation and exactly what was said by each, identifying who said what.

ANSWER:

12. Give the names and addresses of all persons whom you may call as witnesses at the trial of this case or who have discoverable knowledge concerning this case.

ANSWER:

13. State the name, business and residence address, and area of expertise and specialty, if any, of each and every expert witness whom you expect to call at trial of this case. With respect to each expert witness, state the following:

- a. The subject matter upon which the expert is expected to testify.
- b. The substance of the facts and opinions to which the expert is expected to testify.
- c. A summary of the grounds for each such opinion expressed in (b) above.

ANSWER:

14. If, at the time of the occurrence mentioned in Plaintiff's Complaint, there was any policy of liability insurance covering Lowe's Home Centers, LLC, and if so, attach a copy of each policy to your Answers to these Interrogatories or state for each policy:

- a. The name, address and telephone of the insurer.
- b. The name and address of each named insured.
- c. The number of each policy.
- d. The nature of the coverage of each policy.
- e. The limits of liability of each policy.

ANSWER:

15. If any answer becomes incomplete or inaccurate, do you agree to amend your answers to state the correct and complete answer.

ANSWER:

Dorothy Wilkinson

By Counsel

REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 4:9 of the Rules of the Virginia Supreme Court, the Plaintiff requests that the Defendant, produce the following:

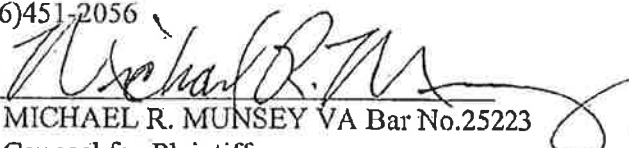
1. A complete copy of Plaintiff's medical chart concerning her treatment on or after January 2, 2022.
2. A complete copy of the accident/incident report or any forms completed subsequent to the incident occurring.
3. Copies of any and all photographs and videos concerning the incident in question.

Dorothy Wilkinson

By Counsel

LAW OFFICES OF MICHAEL R. MUNSEY, P.C.  
P.O. Box 728  
Abingdon, VA 24212  
(276)451-2056

BY

  
MICHAEL R. MUNSEY VA Bar No.25223  
Counsel for Plaintiff